

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-52 are pending in the application, with claims 1, 38, and 42 being the independent claims. Claims 1 and 38 have been amended to clearly define the inventive subject matter encompassed therein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Amendment to the Title

The title has been amended to remove "system and computer program product," because the claims directed to these inventions were withdrawn in response to the Restriction Requirement dated March 21, 2006.

Rejections under 35 U.S.C. § 101

The Examiner has rejected claims 1-41 under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter. Claim 1 has been amended to include the step of "generating an assessment report," thus producing a useful, concrete, and tangible result. *State Street Bank & Trust Co. v. Signature Financial Group, Inc.* 149

F. 3d 1368, 1373 (Fed. Cir. 1998). Support for this amendment can be found in the application at paragraph [0110]. Claim 1, as amended, is therefore directed to statutory subject matter and is thus allowable under 35 U.S.C. 101. Claims 2-37 depend from claim 1 and are thus patentable for at least the reasons provided above with respect to claim 1, in addition to the features recited therein. Claim 38 has been amended similarly to claim 1 and is likewise, as amended, directed to statutory subject matter and is thus allowable under 35 U.S.C. 101. Claims 39-41 depend from claim 1 and are thus patentable for at least the reasons provided above with respect to claim 1, in addition to the features recited therein. Reconsideration and withdrawal of the rejection of claims 2-41 are requested.

Rejections under 35 U.S.C. § 102

The Examiner has rejected claims 1-7, 28-39, 42, 43, 45-48, 51, and 52 as allegedly being anticipated by Safetylogic, according to the following articles about Aon's Safetylogic:

- A. Roberts' "new online tool target loss costs"
- B. Gjersen's "'Aonline' offers web serviced to RMs"
 - hereinafter Safetylogic

In rejecting claim 1 the Examiner relies on the Safetylogic "custom-tailored checklist template populated with discipline-specific assessment data" to teach both the discipline-specific questions of step (2) and the site specific assessment file of step (4). However, Safetylogic does not disclose how the checklist is populated and makes no reference to templates. Applicants contend that this checklist cannot be both the

discipline-specific question and site specific assessment. Further, the descriptor "custom-tailored," which is disclosed in Safetylogic, teaches away from the use of templates. Because Safetylogic does not disclose the step of populating the checklist, Claim 1 is patentable over this reference.

Independent claim 38 includes the same features referred to above in claim 1 and is patentable for the same reasons as claim 1.

Independent claim 42 includes steps similar to those referred to above in claim 1 by generating audit manuals rather than assessment files. The Examiner similarly relies on the Safetylogic "custom-tailored checklist template populated with discipline specific assessment data" in rejecting this claim. Applicants argue that Safetylogic does not teach the steps of claim 42 for the reasons given above.

Claims 2-7, and 28-37, depend from claim 1 and are thus patentable for at least the reasons provided above with respect to claim 1, in addition to the features recited therein. Reconsideration and withdrawal of the rejection of claims 2-7, and 28-37 is requested.

Claim 39 depends from claim 38 and is thus patentable for at least the reasons provided above with respect to claim 38, in addition to the features recited therein. Reconsideration and withdrawal of the rejection of claim 39 is requested.

Claim 43, 45-48, 51, and 52 depend from claim 42 and are thus patentable for at least the reasons provided above with respect to claim 42, in addition to the features recited therein. Reconsideration and withdrawal of the rejection of claims 43, 45-48, 51, and 52 is requested.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 8-27, 40, 44, 49, and 50 as allegedly being unpatentable over Safetylogic under U.S.C. § 103(a).

Claims 8-27 depend from claim 1 and are thus patentable for at least the reasons provided above with respect to claim 1, in addition to the features recited therein. Reconsideration and withdrawal of the rejection of claims 8-27, is requested.

Claim 40 depends from claim 38 and is thus patentable for at least the reasons provided above with respect to claim 38, in addition to the features recited therein. Reconsideration and withdrawal of the rejection of claim 40 is requested.

Claim 44, 49, and 50 depend from claim 42 and are thus patentable for at least the reasons provided above with respect to claim 42, in addition to the features recited therein. Reconsideration and withdrawal of the rejection of claims 44, 49, and 50 are requested.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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